

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
January 15, 2013

Lake Forest City Hall
25550 Commercentre Drive
Council Chambers
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER:

5:42 p.m.

ROLL CALL: Council Members:

Peter Herzog

Adam Nick

Dwight Robinson

Mayor Pro Tem:

Kathryn McCullough

Mayor:

Scott Voigts

City Manager:

Robert C. Dunek

City Attorney:

Scott C. Smith

City Clerk:

Stephanie D. Smith

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code section 54956.9(c)
Number of cases: 1
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code section 54956.9(a)
Case Name: City of Lake Forest v. Alexander S. Rados, et al.
Case Number: Orange County Superior Court Case No. 30-2011-00506646
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government code Section 54956.8
Property: APNs 606-341-01, 606-341-03, 606-341-04, 606-341-05, 606-341-06, 606-341-07, 606-351-01, 606-161-28, 606-161-30, 606-161-31, 606-321-01, 606-321-02, 606-321-03, 606-321-04, 606-321-05, 606-321-

07, 606-321-08, 606-321-09, 606-331-01, 606-331-02, 606-331-03, 606-332-01, 606-351-03

Agency negotiators: City Manager and City Attorney
Negotiating parties: Owners of Record Sun Ranch Capital Partners, LLC and USA Portola Properties, LLC
Under Negotiation: Price and Terms of Payment for Dedication/Acquisition under Implementing Agreement

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 7:05 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:08 p.m., with all Members present to continue regular City business.

PUBLIC SESSION

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Council Member Herzog.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

4. 2012 RESIDENT AND BUSINESS SURVEY submitted by Deputy City Manager/Director of Management Services.

ACTION: The City Council received the presentation by True North Research.

5. COMMENDATION FOR JOHN IRISH AS THE 2012 PARKS AND RECREATION CHAIRPERSON submitted by City Clerk.

ACTION: The City Council approved and presented a commendation to 2012 Parks and Recreation Chair John Irish.

CITY COUNCIL CEREMONIAL ITEMS

6. COMMENTS BY NEW MAYOR submitted by City Clerk.

ACTION: Mayor Voigts presented comments.

REPORT FROM STUDENT LIAISON:

Jens Personius, Student Liaison from El Toro High School, presented his report.

PUBLIC COMMENTS:

The following members of the public offered comments: Vincent Burke, Jim Gardner, and Tim Hughes.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 7 - 8)

7. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem McCullough, the City Council approved the warrant register for January 2, 2013, in the amount of \$6,499,291.77 as submitted. MOTION UNANIMOUSLY CARRIED.

8. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem McCullough, the City Council approved the warrant register for January 15, 2013, in the amount of \$314,227.45 as submitted. MOTION UNANIMOUSLY CARRIED.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 9 - 15)

ACTION: On motion by Council Member Herzog and second by Council Member Nick, the City Council approved Consent Calendar Item Nos. *9-10 and *12-15. MOTION CARRIED with Council Member Herzog opposed on Agenda Item No. 15.

- *9. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council approved the reading, by title only, of all Ordinances and Resolutions. Said Ordinances and Resolutions which

appear on the public agenda shall be determined to have been read by title and further reading waived.

- *10. MINUTES OF THE JOINT BUDGET WORKSHOP MEETING OF THE CITY COUNCIL HELD MAY 8, 2012, AND MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD DECEMBER 4, 2012 submitted by City Clerk.

ACTION: The City Council approved the Minutes for May 8, 2012 and December 4, 2012 as submitted.

- *12. MONTHLY TREASURER'S REPORT – DECEMBER submitted by Director of Finance/City Treasurer.

ACTION: The City Council received and filed the report as submitted.

- *13. REVISION TO LIST OF BROKER/DEALERS FOR INVESTMENT PURCHASES submitted by Director of Finance/City Treasurer.

ACTION: The City Council authorized the substitution of Raymond James & Associates, Inc. (Morgan Keegan), for Merrill Lynch, Pierce, Fenner & Smith, Inc.

- *14. PROFESSIONAL SERVICES AGREEMENT WITH VERONICA TAM AND ASSOCIATES FOR PREPARATION OF THE GENERAL PLAN HOUSING ELEMENT UPDATE submitted by Director of Development Services.

ACTION: The City Council: 1. Approved the Agreement for Consultant Services with Veronica Tam and Associates for preparation of the General Plan Housing Element Update. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement substantially in the form attached.

- *15. FIRST CONTRACT AMENDMENT WITH ATHENS SERVICES FOR STREET SWEEPING SERVICES submitted by Director of Public Works/City Engineer.

ACTION: The City Council: 1. Approved the First Contract Amendment for Street Sweeping Services with Athens Services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the First Contract Amendment, substantially in the form attached. MOTION CARRIED with

Council Member Herzog opposed.

PULLED CONSENT CALENDAR ITEM:

11. 4TH QUARTER COMMISSION ATTENDANCE REPORT submitted by City Clerk.

Council Member Nick pulled this item for separate consideration. He asked for clarification of the policy where Council approves excused absences by Commissioners.

City Manager Dunek reported the procedure mirrors State law.

ACTION: On motion by Council Member Nick and second by Mayor Pro Tem McCullough, the City Council approved Commission absences as excused. **MOTION UNANIMOUSLY CARRIED.**

DISCUSSION/ACTION ITEMS:

16. COMMISSION APPLICANT INTERVIEWS AND APPOINTMENT PROCESS - PLANNING COMMISSIONERS FOR THE FOUR-YEAR TERM COMMENCING JANUARY 2013 submitted by City Clerk.

Staff report dated January 15, 2013 was introduced.

ACTION: The City Council conducted interviews and selected the Mr. Andrew Hamilton and Mr. CJ Brower as Planning Commissioners to fill the two four-year terms.

17. DISCUSSION REGARDING THE POTENTIAL ESTABLISHMENT OF A DOG PARK WITHIN THE CITY submitted by Director of Community Services.

City Manager Dunek introduced the staff report dated January 15, 2013.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem McCullough, the City Council assigned Parks and Recreation Commission the project to research feasibility of a dog park to include: comparisons of other city dog parks, indemnification for the city, cost to create and ongoing expenditures to maintain, and quantify residential requests of dog park within the city. **MOTION UNANIMOUSLY CARRIED.**

18. MUNICIPAL CODE RECODIFICATION submitted by City Manager.

City Attorney Smith introduced the staff report dated January 15, 2013.

ACTION: On motion by Mayor Pro Tem McCullough and second by Council Member Herzog, the City Council introduced and approved for first reading Ordinance No. 249 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA, AMENDING VARIOUS PROVISIONS IN TITLES 1, 10, 11, AND 14 OF THE LAKE FOREST MUNICIPAL CODE. MOTION UNANIMOUSLY CARRIED.

19. ANNUAL CITY COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES submitted by City Clerk.

Staff report dated January 15, 2013 was introduced.

ACTION: The City Council: 1. Selected Mayor Voigts as Transportation Corridor Agency representative; Mayor Pro Tem McCullough as alternate, Mayor Pro Tem McCullough as Upper Newport Bay Watershed representative; no assigned alternate, Mayor Pro Tem McCullough as Orange County Fire Authority Board Member; Council Member Herzog as alternate, Mayor Pro Tem McCullough as Orange County Public Library Advisory Board Member; Council Member Robinson as alternate, Mayor Pro Tem McCullough as South Orange County Watershed Management Area representative with no assigned alternate, and Council Member Nick as Joint Powers Insurance Authority representative with no assigned alternate. 2. Adopted Resolution No. 2013-01 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS. MOTION UNANIMOUSLY CARRIED.

20. LEGISLATIVE AND REGULATORY MATTERS submitted by City Manager.

City Manager Dunek introduced the staff report dated January 15, 2013.

ACTION: On motion by Council Member Herzog and second by Council Member Robinson, the City Council: 1. Adopted the 2013 Legislative

Platform as amended. MOTION UNANIMOUSLY CARRIED.

21. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE submitted by City Clerk.

ACTION: The City Council made no appointments.

CITY MANAGER'S REPORT:

CITY COUNCIL COMMENTS:

Council Member Herzog offered comments.

Council Member Nick offered comments.

Council Member Robinson offered no comments.

Mayor Pro Tem McCullough offered comments.

Mayor Voigts offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT: 10:47 p.m.